

REMARKS

Claims 7-12 remain in this application. Claims 1-6 were previously canceled via the Preliminary Amendment filed on July 30, 2001. Indeed, in paragraph 1 of the Office Action, the Examiner stated that "claims 1-6 are presented for examination." However, claims 7-12 were actually presented for examination upon the filing of the present application. Accordingly, Applicant respectfully requests that the Examiner review claims 7-12 in light of both the cited rejections and the following remarks.

In paragraphs 2 and 3 of the Office Action, the Examiner rejected the claims under 35 U.S.C. §112 for a variety of reasons. Applicant respectfully submits that such points of contention were obviated via the submission of new claims 7-12. Accordingly, Applicant respectfully requests that such rejections be withdrawn.

The Examiner rejected all of the claims of the present application under 35 U.S.C. §103(a) as being unpatentable over Kieckhafer et al. (U.S. Patent No. 4,805,107) in view of William (U.S. Patent No. 5,418,956). For the following reasons, Applicant respectfully submits that claims 7-12 of the present application are patentable over such prior art and respectfully request the withdrawal of the rejection.

First of all, the Kieckhafer reference does not even teach a method for secure access to at least one variable in a preemptively multitasking-controlled processor system, but rather simply a "task scheduler for a fault tolerant multiple node processing system." Thus, Applicant respectfully submits that Kieckhafer fails as a *prima facie* reference as it is not even directed to the same type of method as the claimed invention.

Moreover, the claimed invention specifically includes the use of a "blocking information item" in an access status memory for checking whether or not a task change may be initiated (that is, whether or not the at least one variable is being accessed by a current task). Applicant respectfully submits that the Kieckhafer reference does not, in fact, teach or suggest a method which employs such feature. Nowhere in the passages cited by the Examiner (Col. 2, lines 55-63, Col. 10, lines 50-55, Col. 90, lines 1-8) does the Kieckhafer reference disclose this claimed feature.

While the Examiner acknowledged that the Kieckhafer reference does not specifically teach the use of secure access, the Examiner turned to the William reference and noted the use of

a secure access system in Col. 3, lines 5-12. Such passage, however, merely discloses to use different "privilege levels to help ensure a secure operating environment for each task." As such, each task has access to a certain limited set of computer resources depending on the privilege level it is executed in. In no way, however, does the William reference teach or suggest a method for secure access as per the claimed invention which includes, for example, the last six method steps of independent claim 7.

In light of the above, Applicant respectfully submits that independent claim 7 of the present application, as well as claims 8-12 which respectfully depend therefrom, are both novel and non-obvious over the art of record. Accordingly, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

It is further submitted that no fees are due in connection with this response at this time. If any fees are due in connection with this application as a whole, the office is hereby authorized to deduct said fees from Deposit Account No.: 02-1818. If such a deduction is made, please indicate the Attorney Docket Number (0112740-271) on the account statement.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

William E. Vaughan
Reg. No. 39,056
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4292

Dated: December 21, 2004